UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,245	05/31/2001	Russell Y. Webb	PALM-3666	2406

49637 7590 05/03/2007

BERRY & ASSOCIATES P.C.
9255 SUNSET BOULEVARD
SUITE 810
LOS ANGELES, CA 90069

EXAMINER	
STORK, KYLE R	

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
05/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/872,245	WEBB, RUSSELL Y.	
	Examiner	Art Unit	
	Kyle R. Stork	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *2-11,13-20 and 22-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *2-11,13-20 and 22-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This final office action is in response to the amendment filed 19 March 2007.

2. Claims 2-11, 13-20, and 22-24 are pending. Claims 5, 15, and 22 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3, 5, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. (US 5583543, patented 10 December 1996, hereafter Takahashi), and further in view of Beernink et al. (US 5710831, patented 20 January 1998, hereafter Beernink) and further in view of Edwards et al. (US 6459442, filed 1 December 1999, hereafter Edwards).

As per independent claim 5, Takahashi disclose a computer implemented method of implementing a touch screen user interface for a computer system the method comprising the steps:

- Accepting text input strokes in a first touch-screen area, the first touchscreen area configured for recognizing input strokes as text input (Figure 3(b), item 24; column 10, lines 47-48; column 3, lines 20-24)

- Displaying recognized text from the text input strokes in a second touch screen area, the second touchscreen area configured for recognizing input strokes as command strokes (Figure 3(c), see "very" inserted before "fine"; column 10, lines 51-60; column 3, lines 25-29; column 11, lines 24-33)
- Displaying the text input strokes in the first touch screen area (Figure 3(c), see "very" in item 22; column 9, lines 13-15)
- Recognizing the text input strokes and displaying recognized text in the second touch-screen area (figure 3(c), see "very" inserted before "fine"; column 10, lines 51-60)
- Displaying a portion of the recognized text in the first touch-screen area, the portion of the recognized text shown as the text input strokes are recognized (Figure 3(c); column 10, line 61- column 11, line 11)
- Moving the insertion point and the scroll control area in unison to the left ((Figures 3a-3c: Here, the insertion point is to the left of the editing mark. Upon recognition of the text within the first touch screen area, the recognized text is inserted at the insertion point to the left of the editing mark)

Takahashi fails to specifically disclose implementing in-place editing by replacing one or more previously recognized characters of the portion of the recognized text in the area with newly recognized one or more characters by recognizing new text input strokes made over the one or more previously recognized characters. However, Beernink discloses implementing in-place editing by replacing one or more previously recognized characters of the portion of the recognized text in the area with newly

recognized one or more characters by recognizing new text input strokes made over the one or more previously recognized characters (Figures 2b and 4). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Beernink with Takahashi, since it would have provided a user with an efficient and accurate method for correcting handwriting recognition (Beernink: column 2, lines 4-6).

Takahashi fails to specifically disclose a recognition history of recognized text. However, Edwards discloses a recognition history of recognized text (column 8, line 39- column 10, line 3). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Edwards with Takahashi, since it would have allowed a user to rollback to an earlier version of the marked up text (column 8, line 39- column 10, line 3).

As per dependent claim 3, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi further discloses the method including the steps of displaying the portion of the recognized text in the first touch-screen area in a first format and displaying the recognized text in the second touch-screen area in a second format, wherein the first format is larger than the second format (Figure 3(c)).

As per dependent claim 9, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi further discloses the method above wherein the step of recognizing the text input strokes includes immediately recognizing a character after a

user completes at least one stroke that defines a character (column 10, line 61- column 11, line 11).

5. Claims 2, 13, 15, 20, 22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, and Edwards, and further in view of Lui et al. (US 6256009, filed 24 February 1999, hereafter Lui).

As per dependent claim 2, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi fails to specifically disclose the method of implementing the step of scrolling the portion of the recognized text in the first touch-screen area as new text input strokes are recognized. However, Liu discloses scrolling the text as new input strokes are recognized (column 1, lines 57-65).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method for handwriting input with Liu's method of scrolling text, since it would have allowed a user to continue to write without having to manually scroll text or worry about writing newer text on top of older text.

As per independent claim 15, the applicant discloses the limitations substantially similar to those in claim 2. Claim 15 is similarly rejected.

As per dependent claim 13, the applicant discloses the limitations substantially similar to those in claim 3. Claim 13 is similarly rejected.

As per dependent claim 20 Takahashi, Beernink, Edwards, and Liu disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein.

Takahashi further discloses the method wherein a single touch-screen display is used to implement the first and second area (Figures 3a-3c: Here, both touch-screen areas are displayed together in a single device).

As per independent claim 22, the applicant discloses the limitations substantially similar to those in claim 2. Claim 22 is similarly rejected.

As per dependent claim 24, the applicant discloses the limitations substantially similar to those in claim 20. Claim 24 is similarly rejected.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, and Edwards, and in further view of Cobbley et al. (U.S. 5,546,538).

As per dependent claim 4, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi further discloses displaying the text input strokes in a first part of the first touch-screen area (column 3, lines 20-24). However, Takahashi fails to specifically disclose displaying the portion of the recognized text in the second part of the first touch-screen area, wherein the text input strokes are shown in the first part until the text input strokes are recognized and resulting recognized text shown in the second part. However, Cobbley discloses a touch-screen area wherein the input strokes are displayed in a first touch-screen area and displaying the portion of the recognized text in the second part of the first touch-screen area, wherein the text input

strokes are shown in the first part until the text input strokes are recognized and resulting recognized text shown in the second part (Figure 1; column 3, lines 26-32).

It would have been obvious to one skilled in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting input into a first area with Cobbley's method of displaying recognized text in the same area, since it would have allowed users to enter and view text in the same touch-screen area.

7. Claims 6, 8, and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, and Edwards, and further in view of Berman et al. (US 5760773, patented 2 June 1998, hereafter Berman).

As per dependent claim 6 Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi fails to disclose the method of implementing draggable navigation of the recognized text in the second touch-screen area by dragging a boundary of the first touch-screen area to change the portion of the recognized text shown in the first touch-screen area. However, Berman discloses the method of draggable navigation by dragging a boundary of a screen area (column 9, lines 52-54).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting input with Berman's method of changing screen size by virtue of a draggable boundary, since it would have allowed a user to resize the writing and display areas inversely in a method that is traditionally used in software applications.

As per dependent claim 8, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi fails to disclose the method of implementing a draggable scroll controller within the first touch-screen area for scrolling the portion of the recognized text displayed in the first touch-screen area. However, Berman discloses a draggable scroll controller (column 9, lines 37-40).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting input with Berman's method of scrolling text with a draggable scroll controller, since it would have allowed a user to view text that appears before the current word in a method that is traditionally used in software applications.

As per dependent claim 10, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi fails to disclose the method wherein the touch-screen is provided on a person information device. However, Berman disclose a personal information device (column 1, lines 41-48; column 11, lines 2-5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting input with Berman's method of using a personal information device as the touch-screen, since it would have allowed a user the ability to use the method on a portable device.

As per dependent claim 11, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is

incorporated herein. Takahashi fails to disclose the method wherein the touch-screen is provided on a palmtop computer system. However, Berman disclose a palmtop computer system (column 1, lines 41-48; column 11, lines 2-5).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting input with Berman's method of using a personal information device as the touch-screen, since it would have allowed a user the ability to use the method on a portable device.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, and Edwards and further in view of Bennett (US 2002/0143831, filed 28 March 2001).

As per dependent claim 7, Takahashi, Beernink, and Edwards disclose the limitations substantially similar to those in claim 5, and the same rejection is incorporated herein. Takahashi fails to disclose the method further including the step of implementing tab spots in the touch-screen area to change location of a text entry point with respect to a plurality of fields. However, Bennett discloses the method of implementing tab spots to change location of a text entry point with respect to a plurality of fields (page 10, paragraph 179).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi's method of handwriting text input with Bennett's method of changing data fields, since it would have allowed a user to

navigate anywhere and edit any field using only one key (Bennett: page 10, paragraph 179).

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, Edwards, and Liu, and further in view of Cobbley.

As per dependent claim 14, Takahashi, Beernink, Edwards, and Liu disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. The applicant discloses the limitations substantially similar to those in claim 4. Claim 14 is similarly rejected.

10. Claims 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, Edwards, and Lui, and further in view of Berman.

As per dependent claim 16, Takahashi, Beernink, and Liu disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. The applicant discloses the limitations substantially similar to those in claim 6. Claim 16 is similarly rejected.

As per dependent claim 18, Takahashi, Beernink, Edwards, and Liu disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. The applicant discloses the limitations substantially similar to those in claim 8. Claim 18 is similarly rejected.

11. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, Edwards, and Liu, and in further view of Bennett.

As per dependent claim 17, the applicant discloses the limitations substantially similar to those in claim 7. Claim 17 is similarly rejected.

12. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Beernink, Edwards, and Liu, and in further view of Marianetti, II et al. (US 5889888, patented 30 March 1999, hereafter Marianetti).

As per dependent claim 19 Takahashi, Beernink, Edwards, and Liu disclose the limitations similar to those in claim 15, and the same rejection is incorporated herein. Takahashi, fails to specifically disclose a method wherein a first touch-screen display is used to implement the first area and a second touch-screen display is used to implement the second area. However, Marianetti discloses a method wherein a first touch-screen display is used to implement the first area and a second touch-screen is used to implement a second area (Figure 3).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Takahashi with Marianetti's implementation of separate display screens, since it would have allowed a user to have separate screens for writing text and another for viewing text.

Response to Arguments

13. Applicant's arguments filed 19 March 2007 have been fully considered but they are not persuasive.

With respect to claims 3, 5, and 9, the applicant argues that the prior art of record fails to teach a second touch screen area configured for recognizing input strokes as command strokes (page 9). The examiner respectfully disagrees. Beernick discloses implementing in-place document editing by replacing one or more previously recognized character of the portion of the recognized text in the area with newly recognized one or more characters by recognizing new text input strokes made over the one or more previously recognized characters (Figures 2b; Figure 4, item 88, "Yes" decision).

The applicant further argues that Edwards fail to disclose the step of moving the insertion point and the scroll control area in unison to the left (page 9). However, the examiner does not rely upon Edwards for disclosing this limitation. Instead, Takahashi discloses this limitation (Figures 3a-3c).

With respect to the remaining claims, the applicant relies upon the limitations argued above. For the reasons stated above, these arguments are not persuasive.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kyle R Stork
Patent Examiner
Art Unit 2178

krs

STEPHEN HONG
SUPERVISORY PATENT EXAMINER